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409475-30

**DECLARATION AND PETITION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND SYSTEM FOR OPERATING A NETWORK SERVER TO DISCOURAGE INAPPROPRIATE USE, the specification of which was filed with the U.S. Patent and Trademark Office on April 18, 2001, bearing Serial No. 09/837,319.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: NONE

**PRIOR FOREIGN APPLICATION(S)**

Priority claimed

| Number | Country | Date Filed | Yes | No |
|--------|---------|------------|-----|----|
|--------|---------|------------|-----|----|

Priority claimed

| Number | Country | Date Filed | Yes | No |
|--------|---------|------------|-----|----|
|--------|---------|------------|-----|----|

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

|                        |                       |
|------------------------|-----------------------|
| <u>60/198,491</u>      | <u>April 18, 2000</u> |
| Application Serial No. | Filing Date           |

|                        |             |
|------------------------|-------------|
| _____                  | _____       |
| Application Serial No. | Filing Date |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: NONE

|                        |             |
|------------------------|-------------|
| _____                  | _____       |
| Application Serial No. | Filing Date |

|                        |             |
|------------------------|-------------|
| _____                  | _____       |
| Application Serial No. | Filing Date |

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Correspondence should be addressed to:

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Telephone (213) 430-6000

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration and petition.

**Full name of sole inventor:** GARY STEPHEN SHUSTER

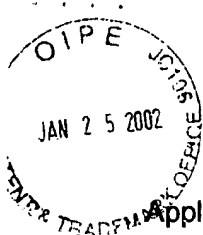
Inventor's signature:  \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 4252 North Van Ness Blvd., Fresno, California 93704

Citizenship: U.S.A.

Post Office Address: Same as above



**PATENT**  
**409475-30**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** GARY STEPHEN SHUSTER

**Serial No.:** 09/837,319

**Filing Date:** April 18, 2001

**Title:** Method And System For Operating A Network Server To Discourage Inappropriate Use

Assistant Commissioner for Patents  
Washington, DC 20231

**POWER OF ATTORNEY**

IDEAFLOOD, INC., a corporation of the State of Nevada and assignee of the entire right, title and interest in the above-identified patent application, hereby appoints:

Brian M. Berliner, Reg. No. 34,549;  
Todd E. Fitzsimmons, Reg. No. 44,683;  
Dennis R. Gallagher, Reg. No. 42,563;  
Jonathan A. Jaech, Reg. No. 41,091;  
Jimmy M. Shin, Reg. No. 45,103; and  
Jeffrey P. Wall, Reg. No. 38,357

whose address is:

**O'MELVENY & MYERS LLP**  
400 South Hope Street  
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Telephone: (213) 430-6000  
Attn: Brian M. Berliner

their attorneys to prosecute said application and to transact in connection therewith all business in the U.S. Patent and Trademark Office in connection therewith and before competent International Authorities.

IN ACCORDANCE WITH 37 C.F.R. § 3.73, THE ASSIGNEE HEREBY CERTIFIES THAT THE EVIDENCIARY DOCUMENTS WITH RESPECT TO ITS OWNERSHIP HAVE BEEN REVIEWED AND THAT, TO THE BEST OF THE ASSIGNEE'S KNOWLEDGE AND BELIEF, TITLE IS IN THE ASSIGNEE SEEKING TO TAKE THIS ACTION.

IDEAFLOOD, INC.

Dated: NOV. 20, 2001

By: 

Name: Gary Shuster

Title: General Counsel